

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MDS-033C1
First Named Inventor	Schomacker et al.
Title	Method and Apparatus for Identifying Spectral Artifacts

**APPLICATION ELEMENTS**

ADDRESS TO: **Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

22782 U.S. PTO  
10/1848735

051904

1. ☒ Fee Transmittal Form
2. ☒ Small Entity Status
  - ☒ Applicant claims small entity status
  - ☒ Status established in prior application and is still proper and desired
3. ☒ Specification and Drawings [Total Pages 84]
  - Written Description - (55 pages)
  - Claims - (10 pages)
  - Abstract - (1 page)
  - Sheets of Drawings - (18 sheets)
  - ☒ Formal
  - ☐ Informal
4. ☒ Oath or Declaration [Total Pages 8]
  - a. ☐ Newly executed (original)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
5. ☒ Incorporation by Reference (usable if Box 4b is checked)  
The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - ☐ Computer Readable Form (CRF)
  - ☐ Paper Copy (identical to computer copy)
  - ☐ CD (2 copies) (identical to computer copy)
  - ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
  - ☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449
  - ☐ Copies of IDS Citations
11. ☒ Preliminary Amendment (9 pages)
  - ☐ Drawings [Total Sheets ]
12. ☒ Return Receipt Postcard (specifically itemized)
13. ☐ Certified Copy of Priority Document(s) (if foreign priority claimed)
14. ☐ Nonpublication Request Under 35 U.S.C. 122(b)
15. ☐ CD in duplicate for large table or computer program
16. ☐ Other:

17. ☒ If a CONTINUING APPLICATION: Amend the specification by inserting on page 1, before the first line, the sentence:  
--This is a ☒ continuation ☐ divisional ☐ continuation-in-part of prior application Serial No. 10/243,535, filed on September 13, 2002, which is based on, and claims priority to, provisional U.S. patent application serial number 60/394,696 filed on July 9, 2002, the disclosures of which are incorporated by reference herein.--  
**Priority to the above application(s) is claimed under 35 U.S.C. 120.**  
Prior application information: Examiner: Christine Sung. Group/Art Unit: 2878.

18. ☐ Priority - 35 U.S.C. 119  
☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.  
☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ / \_\_\_\_\_ on \_\_\_\_\_.  
☐ The certified copy will follow.

**CORRESPONDENCE ADDRESS**

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100  
Customer No. 021323

**SIGNATURE BLOCK**

Respectfully submitted,  
Date: May 19, 2004 *William R. Haulbrook*  
Reg. No. 53,002 William R. Haulbrook  
Tel. No.: (617) 310-8427 Atty/Agent for Applicant(s)  
Fax No.: (617) 248-7100 Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

**FEE TRANSMITTAL**  
**FY 2004**

Complete if Known

Application Serial Number	Continuation of U.S.S.N. 10/243,535
Filing Date	May 19, 2004
First Named Inventor	Schomacker et al.
Group Art Unit	2878 (parent application)
Examiner Name	Christine Sung (parent application)
Attorney Docket No.	MDS-033C1

**METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

**FEE CALCULATION****1. FILING FEE**

Large Entity Fee (\$)	Fee Description	Fee Paid
770	Utility filing fee	770.00
340	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
--------------	--------------	------	--------

Total Claims	24	- 20 = 4	x \$ 18.00 =	72.00
--------------	----	----------	--------------	-------

Independent Claims	4	- 3 = 1	x \$ 86.00 =	86.00
--------------------	---	---------	--------------	-------

☐ Multiple Dependent Claim(s), if any \$290.00 =

TOTAL: 928.00

SMALL ENTITY DISCOUNT: 464.00

SUBTOTAL (1) (\$) 464.00

**2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
-------------------------------	---------------------------------	---------------	------	----------

Total	-	=	x \$ 18.00 =	
-------	---	---	--------------	--

Indep.	-	=	x \$ 86.00 =	
--------	---	---	--------------	--

☐ First Presentation of Multiple Dep. Claim + \$290.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 0.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
770	385	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
110	55	Submission of Terminal Disclaimer	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 0.00

SUBTOTAL (1) 464.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 0.00

TOTAL (\$) 464.00

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Respectfully submitted,  
 Date: May 19, 2004  
 Reg. No.: 53,002  
 Tel. No.: (617) 310-8427  
 Fax No.: (617) 248-7100

*William R. Haulbrook*  
 William R. Haulbrook  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110